

REMARKS

This Response, submitted in response to the final Office Action dated February 24, 2005, is believed to be fully responsive to the points of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-32 are pending. Claims 1-3, 5, 11, 23, 24, 26 and 29-31 stand rejected under 35 USC 103(a) over US Patent No. 6,231,306 (Khalid), in view of US Patent No. 6,522,991 (Banaszuk). Claim 4 stands rejected under 35 USC 103(a) over Khalid, in view of Banaszuk, in further view of US Patent No. 5,448,881 (Patterson). Claims 6-10, 12-22, 25, 27, 28 and 32 were found to be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims. Applicants respectfully submit the following remarks in support of the patentability of the claims.

1. Claims 1-3, 5, 11, 23, 24, 26 and 29-31:

In the final Office Action, the Examiner objected to Applicants' partial redacting of Exhibits A and B. Attached please find a copy of Exhibit A that shows the dates in question. Attached please also find a newly printed copy of Exhibit B that shows the dates in question. In view of the above, Applicants respectfully request that the Examiner reconsider his position regarding the Affidavit previously submitted under 37 CFR 1.131.

In particular, Applicants respectfully submit that Banaszuk does not qualify as prior art for the present invention under any provision of 35 USC 102 or 103. As stated in the previously submitted Rule 131 Affidavit, the present invention was conceived prior to the May 4, 2001 filing date of Banaszuk. The present invention was reduced to practice in 2001. Further, the present application was filed on October 4, 2002, which is prior to the November 7, 2002 publication date of Banaszuk. Accordingly, Applicants respectfully submit that Banaszuk is not prior art.

Further, and as noted on page 3 of the Office Action dated September 22, 2004, Khalid fails to disclose certain elements of the independent claims. For example, Claims 1, 5 and 11 recite preprocessing the raw data using a frequency demodulator to produce pre-processed data. As noted on page 3 of the Office Action dated September 22, 2004, Khalid does not disclose this recitation. To supply this recitation of independent Claims 1, 5 and 11, Banaszuk is cited. However, Banaszuk does not qualify as prior art, as

discussed above. Accordingly, Applicants respectfully request that the rejections of Claims 1-3, 5, 11, 23, 24, 26, and 29-31 under 35 USC 103(a) be withdrawn.

2. Claim 4:

Claim 4 stands rejected under 35 USC 103(a) over Khalid, in view of Banaszuk, in further view of Patterson. Claim 4 depends from Claims 3 and further recites that the monitoring comprises monitoring dynamic pressure at a number of locations within the compressor. Claim 3 depends from Claim 2, which depends from Claim 1. Accordingly, the arguments presented above with respect to Claims 1-3 apply with equal force to Claim 4. In particular, Applicants respectfully submit that Banaszuk is not prior art.

As noted by the Examiner, Khalid, does not teach monitoring dynamic pressure at a number of locations within the compressor, as recited by Claim 4. Patterson is cited by the Examiner to supply this deficiency of Khalid. However, as noted in the response dated November 24, 2004, Applicants respectfully submit that Khalid, in view of Patterson, does not disclose preprocessing the raw data using a frequency demodulator to produce pre-processed data, as recited by independent Claim 1, from which Claim 4 depends. In view of the above, Applicants respectfully request that the rejection of Claim 4 under 35 USC 103(a) be withdrawn.

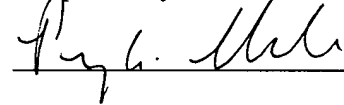
CONCLUSION

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are respectfully requested.

Please charge all applicable fees associated with the submittal of this Amendment and any other fees applicable to this application to the Assignee's Deposit Account No. 07-0868.

Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below.

Respectfully submitted,



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